IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

WEDNESDAY, THE TWENTY SECOND DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT
THE HON'BLE MR JUSTICE BILAL NAZKI
and
THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT APPEAL NO : 1412 of 2004

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 25/03/2004 in WP NO : 19683 OF 1999 on the file of the High Court.)

Between:

Smt. C. Lalitha, W/o. Late Sri Gopalakrishna Murthy,
R/o. Tenali, Guntur District.

..... APPELLANT

AND

1 Secretary and Correspondent, Taluq Junior College(High School), Committee,
Tenali, Guntur District.
2 District Educational Officer, Guntur District, Guntur.
3 State of Andhra Pradesh, rep by its Secretary, Department of Education,
Secretariat, Hyderabad.
4 Mandal Revenue Officer, Tenali, Guntur District.

.....RESPONDENTS

Counsel for the Appellant : MR.P.V.SUBRAHMANYA SARMA

Counsel for the Respondents No.2 to 4 : GP FOR EDUCATION

Counsel for the Respondent No.1 : Mr.P.Suresh.

The Court at the stage of admission, made the following :

JUDGMENT : (per Sri Bilal Nazki, J)

Heard learned Counsel for the parties. With their consent the Appeal is disposed of at this stage.

This Writ Appeal is against an order of learned Single Judge of this Court. The Writ Petitioner contended that her date of birth was recorded as 23.07.1938 instead of 23.07.1943. The Writ Petitioner in her affidavit, had said that she passed her Matriculation examination from Osmania University in 1972 and got appointment by 1973. It is conceded that at the time of appointment, she declared her date of birth to be 23.07.1938. Even if her date of birth is to be taken as 23.07.1943, which is now proposed, even then, the petitioner was aged 30 years at the time of entry into service. For 30 years of her life, she do not know what was her correct date of birth, which is unbelievable and cannot be accepted.

On the other hand, in our view, she was at that time, aged 35 years when she entered into service. She had obtained Matriculation Certificate, she had also obtained Hindi Pandit Certificate in which her date of birth had been recorded as is mentioned by the Writ Petitioner in her own

affidavit. Since the date of birth was declared by the petitioner and no steps were taken by her for correction of date of birth which was wrongly entered according to her, till the petitioner reached almost to the age of retirement, the learned Single Judge is right in dismissing the Writ Petition.

Writ Appeal is accordingly dismissed. No costs.

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(BILAL NAZKI, J)

22nd September, 2004.

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(S.ANANDA REDDY, J)

ajr

To

1 The Secretary and Correspondent, Taluq Junior College(High School),
Committee, Tenali, Guntur District.
2 The District Educational Officer, Guntur District, Guntur.
3 The Secretary, Department of Education, Government of Andhra Pradesh,
Secretariat, Hyderabad.
4 Mandal Revenue Officer, Tenali, Guntur District.
5 Two C.Cs. to the G.P. for Education, High Court Buildings, Hyderabad (O.U.T).
6 Two C.D. copies.